

RESPONSE UNDER 37 CFR 1.105

A variety of geranium named 'Penjul' was sold on March 1, 1999 in Germany.

Additionally, applicant submits the following documents:

1. Bescheinigung Über Die Erteilung Des Gemeinschaftlichen Sortenschutzes, EU 7050 1 p.;
2. European Community Communication for application number 98/1667, 1 p.;
3. Świadectwo Przyznania Wyłącznego Prawa number O 1264, 1 p.;
4. Decyzja, 1 p.;
5. Wniosek, 2 pp.;
6. Informacja o pochodzeniu i strukturze odmiany, 2 pp.;
7. Opis morfologiczno-użytkowy, 2 pp.; and
8. Israel Breeder's Rights Certificate 2133, 1 p.

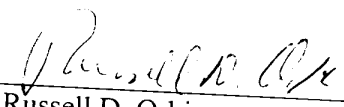
REMARKS

The disclosure is objected to and the claim stands rejected pursuant to 37 C.F.R. § 1.163(a) and under 35 U.S.C. § 112, first and second paragraphs. Applicant believes that the amendments made to the specification specifically address the Examiner's objections detailed in paragraphs A-J and L-P of the Office Action. Information on the sepal margin (item K) is not available. Withdrawal of the objection and reconsideration of the rejection under 35 U.S.C. § 112, first and second paragraphs, is respectfully requested.

Reconsideration of the rejection, withdrawal of the objection, and allowance of the claim are respectfully requested.

Respectfully submitted,

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